

NO. 65833

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office JAN 13 2000

Returned to applicant for correction _____

Corrected application filed _____

Map filed FEB 02 2000 under 65823

The applicant **Winnemucca Farms, Inc.** hereby makes application for permission to change the **point of diversion and place of use** of water heretofore appropriated under **Permit 31141 Certificate 9145**

1. The source of water is **underground- -Well No. 5**
2. The amount of water to be changed **1.098 cfs**
3. The water to be used for **irrigation**
4. The water heretofore permitted for **irrigation**
5. The water is to be diverted at the following point **within the NW¼ SW¼ of Section 14, T.37N., R.39E., MDB&M or at a point from which the W¼ corner of said Section 14 bears N 44° 40' W 320.0 feet.**
6. The existing permitted point of diversion is located within **NE¼ NE¼ Section 26, T.38N., R.38E., MDB&M or at a point from which the SE corner of said Section 26 bears S 0° 51' 12" E a distance of 3929.0 feet.**
7. Proposed place of use **NE¼ and S½ of Section 12, all of Section 13, NE¼ and S½ of Section 14, NE¼ and S½ of Section 21, all of Section 22, all of Section 23, all of Section 27, NW¼ NW¼ of Section 28, and NE¼ and S½ of Section 29, all in T.37N., R.39E., MDB&M-3,300 acres.**
8. Existing place of use **See attached Exhibit "A"**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **drilled well, pipelines, and circular sprinklers**
12. Estimated cost of works **in excess of one million dollars (\$1,000,000.00+)**
13. Estimated time required to construct works **3 years**
14. Estimated time required to complete the application of water to beneficial use **5 years**
15. Remarks: **Applicant wishes to change the point of diversion and place of use to a new undeveloped area. Applicant has reduced the amount of cultivated acreage at the original farm site by utilizing low-volume circular sprinklers, resulting in an overall reduction of water usage. Applicant wishes to place an additional 3,300+ acres of land, approximately 8 miles southeast of the present farm site, under cultivation utilizing 58.274 cfs of water from**

38 existing permits to irrigate the proposed place of use. Please refer to February 1999 report from Cascade Earth Sciences, Ltd. for additional information concerning these transfers. See attachment per John Milton's letter.

Desert Mountain Surveying as agent
By John H. Milton III, PLS, SWRS
s/ John H. Milton III
146 West Second Street
Winnemucca, NV 89445

Compared gkl/cmf hf/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 31141, Certificate 9145 is issued subject to the terms and conditions imposed in said Permit 31141, Certificate 9145 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 65823 through 65864, inclusive, shall not exceed 4,125.0 acre-feet annually for the irrigation of 3,354.0 acres within the described place of use.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Issuance of Permits 65823 through 65864, inclusive, shall limit the land irrigated by Winnemucca Farms, Inc., at the existing place of use to 13,344.13 acres. The amount of water allowed to be placed to beneficial use at the existing place of use is limited to 17,392.41 acre-feet annually.

An annual report covering both sites in a format acceptable to the State Engineer shall be filed in accordance with the terms of paragraph 7.3 of the report prepared for Winnemucca Farms, Inc. by Cascade Earth Sciences Ltd., revised February, 1999.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.098 cubic feet per second.

Work must be prosecuted with reasonable diligence and be completed on or before:

July 26, 2003

Proof of completion of work shall be filed before:

August 26, 2003

Water must be placed to beneficial use on or before:

July 26, 2005

Proof of the application of water to beneficial use shall be filed on or before:

August 26, 2005

Map in support of proof of beneficial use shall be filed on or before:

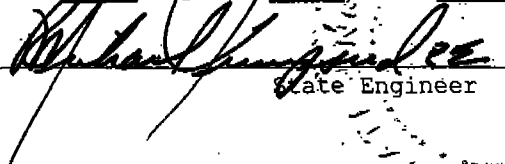
August 26, 2005

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 26th day of, July A.D. 2000


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

Abrogated By: 69423 1.098

Item 8. Existing Place of Use

7.64	acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 23, T.38N., R.38E., MDB&M.	
39.12	NE $\frac{1}{4}$ NW $\frac{1}{4}$	"
39.82	SE $\frac{1}{4}$ NW $\frac{1}{4}$	"
39.82	SW $\frac{1}{4}$ NW $\frac{1}{4}$	"
39.27	NW $\frac{1}{4}$ NE $\frac{1}{4}$	"
38.80	NE $\frac{1}{4}$ NE $\frac{1}{4}$	"
39.60	SE $\frac{1}{4}$ NE $\frac{1}{4}$	"
39.82	SW $\frac{1}{4}$ NE $\frac{1}{4}$	"
39.82	NW $\frac{1}{4}$ SE $\frac{1}{4}$	23
39.82	NE $\frac{1}{4}$ SE $\frac{1}{4}$	"
39.82	SE $\frac{1}{4}$ SE $\frac{1}{4}$	"
39.82	SW $\frac{1}{4}$ SE $\frac{1}{4}$	"
39.82	NW $\frac{1}{4}$ SW $\frac{1}{4}$	"
39.82	NE $\frac{1}{4}$ SW $\frac{1}{4}$	"
39.82	SE $\frac{1}{4}$ SW $\frac{1}{4}$	"
39.82	SW $\frac{1}{4}$ SW $\frac{1}{4}$	"
39.04	NW $\frac{1}{4}$ NW $\frac{1}{4}$	24
38.57	NE $\frac{1}{4}$ NW $\frac{1}{4}$	"
39.82	SE $\frac{1}{4}$ NW $\frac{1}{4}$	"
39.14	SW $\frac{1}{4}$ NW $\frac{1}{4}$	"
38.54	NW $\frac{1}{4}$ NE $\frac{1}{4}$	"
38.18	NE $\frac{1}{4}$ NE $\frac{1}{4}$	"
39.82	SE $\frac{1}{4}$ NE $\frac{1}{4}$	"
39.82	acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 24, T.38N., R.38E., MDB&M.	
39.82	NE $\frac{1}{4}$ SE $\frac{1}{4}$	"
39.82	SE $\frac{1}{4}$ SE $\frac{1}{4}$	"
39.82	SW $\frac{1}{4}$ SE $\frac{1}{4}$	"
38.91	NW $\frac{1}{4}$ SW $\frac{1}{4}$	"
39.82	NE $\frac{1}{4}$ SW $\frac{1}{4}$	"
39.82	SE $\frac{1}{4}$ SW $\frac{1}{4}$	"
38.91	SW $\frac{1}{4}$ SW $\frac{1}{4}$	"
38.91	NW $\frac{1}{4}$ NW $\frac{1}{4}$	25
39.82	NE $\frac{1}{4}$ NW $\frac{1}{4}$	"
39.82	SE $\frac{1}{4}$ NW $\frac{1}{4}$	"
38.91	SW $\frac{1}{4}$ NW $\frac{1}{4}$	"
39.82	NW $\frac{1}{4}$ NE $\frac{1}{4}$	"
39.82	NE $\frac{1}{4}$ NE $\frac{1}{4}$	"
39.82	SE $\frac{1}{4}$ NE $\frac{1}{4}$	"
39.82	SW $\frac{1}{4}$ NE $\frac{1}{4}$	"
39.82	acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 25, T.38N., R.38E., MDB&M.	
39.82	NE $\frac{1}{4}$ SE $\frac{1}{4}$	"
38.91	SE $\frac{1}{4}$ SE $\frac{1}{4}$	"
38.91	SW $\frac{1}{4}$ SE $\frac{1}{4}$	"
38.91	NW $\frac{1}{4}$ SW $\frac{1}{4}$	"
39.82	NE $\frac{1}{4}$ SW $\frac{1}{4}$	"
38.91	SE $\frac{1}{4}$ SW $\frac{1}{4}$	"
38.00	SW $\frac{1}{4}$ SW $\frac{1}{4}$	"
39.82	NW $\frac{1}{4}$ NW $\frac{1}{4}$	26
39.82	NE $\frac{1}{4}$ NW $\frac{1}{4}$	"
39.82	SE $\frac{1}{4}$ NW $\frac{1}{4}$	"
39.82	SW $\frac{1}{4}$ NW $\frac{1}{4}$	"
39.82	NW $\frac{1}{4}$ NE $\frac{1}{4}$	"
39.82	NE $\frac{1}{4}$ NE $\frac{1}{4}$	"
39.82	SE $\frac{1}{4}$ NE $\frac{1}{4}$	"
39.82	SW $\frac{1}{4}$ NE $\frac{1}{4}$	"
39.82	NW $\frac{1}{4}$ SE $\frac{1}{4}$	"
39.82	NE $\frac{1}{4}$ SE $\frac{1}{4}$	"
39.14	SE $\frac{1}{4}$ SE $\frac{1}{4}$	"
39.60	SW $\frac{1}{4}$ SE $\frac{1}{4}$	"
39.82	NW $\frac{1}{4}$ SW $\frac{1}{4}$	"
39.82	NE $\frac{1}{4}$ SW $\frac{1}{4}$	"
39.82	SE $\frac{1}{4}$ SW $\frac{1}{4}$	"
39.82	SW $\frac{1}{4}$ SW $\frac{1}{4}$	"
38.91	NW $\frac{1}{4}$ NW $\frac{1}{4}$	35
38.91	NE $\frac{1}{4}$ NW $\frac{1}{4}$	"
39.82	SE $\frac{1}{4}$ NW $\frac{1}{4}$	"
39.82	SW $\frac{1}{4}$ NW $\frac{1}{4}$	"
39.14	NW $\frac{1}{4}$ NE $\frac{1}{4}$	"
34.08	NE $\frac{1}{4}$ NE $\frac{1}{4}$	"
39.64	SE $\frac{1}{4}$ NE $\frac{1}{4}$	"
39.82	SW $\frac{1}{4}$ NE $\frac{1}{4}$	"
2808.32	acres total	

Item 15.

Applicant has reduced the amount of cultivated acreage by installing low volume circular sprinklers. This, coupled with an increased efficiency and innovative irrigation techniques, has resulted in a decreased water usage at the present farm site. Applicant wishes to place an additional 3,300 acres of land, approximately 8 miles southeast of the present farm site, under cultivation. For more detailed information on this project, please refer to the February 1999 report prepared for Winnemucca Farms by Cascade Earth Sciences, Ltd. which, by reference, is made a part of this application.

